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Committee on Economic, Social and Cultural Rights

Fifty-ninth session

Summary record of the 65th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 28 September 2016, at 3 p.m.

Chair: Mr. Sadi

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The meeting was called to order at 3 p.m.

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Combined fifth and sixth periodic reports of the Philippines (E/C.12/PHL/5-6; E/C.12/PHL/Q/5-6 and Add.1)

1. *At the invitation of the Chair, the delegation of the Philippines took places at the Committee table.*

2. **Ms. Edillon** (Philippines), introducing her country's report, said that the Government viewed the constructive dialogue as an important exercise in advancing human rights advocacy, despite the constraints that the Philippines and other developing countries continued to face.

3. The Philippines took pride in its Constitution, which enshrined human rights and adhered to the doctrine of incorporation, whereby generally accepted principles of international law, including the provisions of the Covenant, formed part of the law of the land.

4. The Government shared the Committee's concerns over the adverse environmental effects of irresponsible mining and was pursuing a two-pronged strategy that involved conducting a comprehensive audit of operating mines and reviewing the Mining Act of 1995. Details of the scope of the review had been provided in paragraph 10 of the State party's replies to the list of issues (E/C.12/PHL/Q/5-6/Add.1).

5. The Philippines paid special attention to the plight of indigenous peoples, the group most affected by the mining industry. The Government sought to empower indigenous peoples by ensuring respect for the principle of free, prior and informed consent and by strengthening the implementation of the Indigenous Peoples Rights Act, which mandated the ongoing empowerment of the National Commission on Indigenous Peoples to respond to violations of indigenous rights.

6. In 2015, a law had been enacted to complement the Fisheries Code, uphold the right of Filipinos to dispose freely of natural resources and promote compliance with international agreements. The law stipulated that local communities should be given preference with regard to fisheries resources.

7. The Government was aware that the misuse of public funds had a negative impact on development programmes and on the full enjoyment of economic, social and cultural rights. Between January 2015 and May 2016, the Office of the Ombudsman had secured the convictions of 124 individuals for graft and corruption, 47 for embezzlement and 3 for direct or indirect bribery. In addition, ongoing efforts were being made to bolster the enforcement of anti-corruption legislation such as the Anti-Red Tape Act of 2007 and the Sandiganbayan Reform Act of 2015. The Sandiganbayan was a special court with jurisdiction over criminal and civil cases of corruption and similar offences committed by public officials.

8. To encourage more active engagement of the general public in the Government's anti-corruption drive, a hotline had been launched for reporting corrupt practices and, on 23 July 2016, President Rodrigo Duterte had issued an executive order to give effect to the public's right to information and to guarantee transparency in the public service. Stringent monitoring of the use of public funds had resulted in more prudent spending, enabling the Government to increase social sector expenditure from US$ 8.65 billion in 2009 to US$ 24.09 billion in 2016.

9. Cultural prejudices born out of insufficient education were being addressed. The Integrated History Act of 2016 provided for the inclusion of modules on the history, culture and identity of Filipino Muslims and indigenous peoples in school curricula at all levels. Laws were being reviewed in order to remove any discriminatory provisions, and President Duterte had vowed to protect women's rights and had called for the full implementation of the Magna Carta of Women down to the village level.

10. The Philippines valued decent work as a means of spurring collective development and progress. Initiatives to reduce unemployment and underemployment included the Human Resource Roadmap 2016-2022 and programmes to boost employability, particularly among young persons and persons with disabilities. The Government believed in the principle of equal pay for equal work, and the Constitution and other laws respected gender equality and protected the right of workers to redress of grievances.

11. While it was a policy of the Government to provide decent employment in the Philippines so that working abroad was a matter of choice rather than a necessity, the protection of migrant workers was considered a primordial obligation. Under the amended Migrant Workers Act, overseas Filipino workers had access to a package of integrated support services prior to their departure, a 24-hour assistance facility during their stay in their host countries and a reintegration programme upon their return. In August 2016, a one-stop shop had been opened to expedite the processing of documents for overseas workers, whose protection abroad was provided by a network of foreign service posts that comprised 82 embassies and consulates, and 166 honorary consulates manned by over 1,295 personnel.

12. The Government recognized that social security was the backbone of social protection, and relevant institutions ensured that older persons and persons with disabilities, among others, could afford to live with dignity. Social welfare services were available for marginalized persons, including victims of disasters, and a number of non-contributory social assistance programmes (including the Conditional Cash Transfer Programme and the Supplemental Feeding Programme) had been established.

13. The Government could not overemphasize its commitment to protecting the family, with a particular focus on women and children. Steps were being taken to amend the Family Code in favour of greater equality in the family decision-making process, and the Anti-Rape Law of 1997 was undergoing legislative scrutiny to render it more responsive to the needs of victims.

14. The Philippines was taking a proactive role in the fight against human trafficking. The number of convictions for human trafficking had been eight times higher in the period from 2010 to 2016 than in the six years before that, and the average length of human trafficking trials had been cut from five years to two. Moreover, the Philippines had directed the negotiations that had led to the adoption of the Association of Southeast Asian Nations Convention against Trafficking in Persons, Especially Women and Children, and the accompanying Regional Plan of Action 2016-2020.

15. In the 2016 *Trafficking in Persons Report* prepared by the United States Department of State, the Philippines had been classified as fully meeting the minimum standards for the elimination of human trafficking, while in the previous three years, the International Labour Organization (ILO) had included the Philippines among the 10 countries that had made the most progress in implementing measures to eliminate the worst forms of child labour.

16. Eradicating poverty remained a challenge. Funds were allocated to municipalities with the highest incidence of poverty and, pursuant to the Agriculture and Fisheries Modernization Act, the Government followed a strategy aimed at ensuring that consumers, especially the poorest, had access to adequate food at all times.

17. To improve the security of housing tenure of informal settlers, President Duterte had suspended the demolition of illegal settlements in the absence of suitable relocation sites.

18. The health-care system was intended to be equitable, inclusive, transparent, accountable and efficient, and provided universal health insurance coverage and high-quality reproductive health-care services.

19. The Constitution required the State to assign the highest budgetary priority to education. Between 2010 and 2015, the primary school completion rate had risen from 72.1 to 86.7 per cent. In accordance with the Enhanced Basic Education Act of 2013, the Philippines had embarked on the biggest reform of the education system in its history, extending the basic education cycle from 10 to 12 years.

20. The National Indigenous Peoples Education Programme, which had been launched in 2013, continued to strengthen culture-based education through capacity-building for teaching and non-teaching personnel, the contextualization of school curricula, the development of culturally appropriate learning materials and the enhancement of budgetary resources and infrastructure. Between 2013 and 2016, approximately US$ 21.75 million had been allocated to initiatives introduced under the Programme, in addition to the regular funds set aside for indigenous students in State schools.

21. During the course of the 2016/17 academic year, 251 new schools would be completed and 583 extra teachers would be recruited to serve more than 18,000 indigenous students in Mindanao alone. Between 2010 and 2015, the number of indigenous children enrolled in school had increased by 206 per cent.

22. The National Endowment Fund for Culture and Arts had been established as part of efforts to nurture the country's cultural heritage and to protect its cultural diversity. In 2015, US$ 19 million had been disbursed from the Fund, which had benefited 1,187 individuals and organizations to date.

23. President Duterte had stated that the Government would be sensitive to the obligation of the Philippines to promote and protect the human rights of its citizens, especially the poor, the marginalized and the vulnerable. Social justice would be pursued, and the rule of law would prevail at all times.

24. **Mr. De Schutter** (Country Rapporteur), while commending the State party on the progress that it had made in recent years, said that he wished to know what could be done, including in terms of judicial training, to ensure the direct application of the Covenant provisions in the domestic legal order, particularly given that the Constitution did not enshrine economic, social and cultural rights other than trade union rights and that the constitutional provisions on the doctrine of incorporation were not explicit.

25. He sought reassurances that adopting the bill on strengthening the functional and structural organization of the Commission on Human Rights was a priority of the Government and that measures were planned to protect human rights defenders, who continued to face harassment and threats to their lives.

26. Turning to the issue of indigenous rights, he asked why the State party had not yet ratified the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169). What was being done to protect the Lumads and other indigenous peoples in Mindanao from the conflict between government forces and the New People's Army? Why had the principle of free, prior and informed consent sometimes been ignored in the sale of land to investors? He also asked whether the National Commission on Indigenous Peoples should not play a greater role in resolving indigenous land disputes, why the National Commission was mistrusted by some indigenous peoples, particularly the Lumads, and what could be done to restore its credibility.

27. The delegation should explain whether the adoption of the National Land Use Bill was a priority of the Government, and what steps had been taken to ensure that the Bill was consistent with the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.

28. He requested data on public spending on social services disaggregated by age, sex, indigenous and minority groups, and urban and rural areas. He also invited the delegation to comment on the fact that, between 2010 and 2015, the Department of Social Welfare and Development had allotted an average of 10 to 11 million Philippine pesos (Pts) a year to persons with disabilities, which equated to just Pts 8 per head.

29. He asked whether adopting the bill to address discrimination in all its forms, which was mentioned in paragraph 33 of the replies to the list of issues, was a priority of the Government, and whether measures would be taken to remove discriminatory provisions of existing laws, including article 200 of the revised Criminal Code, section 29 (a) (2) of the Immigration Act and sections 269 and 272 (b) of the Labour Code.

30. Noting that, in the Magna Carta for Persons with Disabilities, reasonable accommodation was referred to only with respect to employment, he asked whether the law would be brought into line with the Convention on the Rights of Persons with Disabilities.

31. Regarding gender equality, the delegation should describe what could be done to ensure that more women benefited from the Comprehensive Agrarian Reform Programme, bearing in mind that women accounted for a mere 29 per cent of the 2.3 million beneficiaries of the Programme since its inception in 1988. Comments on the striking gender disparities in labour market participation and, by extension, income, would also be appreciated.

32. **Ms. Bras Gomes** sought confirmation of the exact unemployment rate and said that it would be useful to know how the State party gathered employment and unemployment data, including what exclusion criteria were applied. She enquired about the impact of the steps taken to combat unemployment and underemployment, and asked what further measures were planned in that regard.

33. Although the Magna Carta for Persons with Disabilities laid down the principle of non-discrimination and provided for measures to promote the employment of persons with disabilities, its effective implementation was hampered by a lack of awareness among rights holders and government officials, particularly in rural areas, leading to a very low uptake of the services available.

34. It should also be noted that the gender disparity in labour market participation was almost as wide as it had been in 2005, which suggested that the efforts made since that time had been fruitless.

35. She asked what more could be done to prevent violations of labour rights and of the right to social security in sweatshops, and what protection was offered to informal sector workers. The delegation should give an assessment of the end-of-contract (*"endo"*) system, whereby employers dismissed probationary employees before the six-month cut-off point for regularizing them, and explain what could be done to put a stop to the practice.

36. Noting that the Wage Rationalization Act had reportedly pushed down wages, she asked how the Government managed to regulate the high number of minimum wage rates in the country, whether agricultural workers were entitled to a minimum wage and what measures were being adopted to bring minimum wage rates progressively closer to the cost of living, in line with article 7 of the Covenant. The delegation should respond to reports that the punishments for non-compliance with minimum wage requirements were too lenient and too infrequently imposed to have a deterrent effect.

37. She would be grateful for information on the protection afforded to workers who were not covered by a collective agreement, and on the steps that the State party was taking to prevent the harassment of trade union leaders and activists. The delegation should state whether social security coverage was extended to workers on precarious contracts, informal sector workers and women engaged in unpaid work. It should also comment on whether the amount of the monthly cash grants provided under the Social Pension for Indigent Senior Citizens programme was sufficient to guarantee a decent standard of living, and on why there were so few beneficiaries of the programme.

38. Lastly, she wished to know what obligations were incumbent on the Government under the Conditional Cash Transfer Programme.

39. **The Chair** said that prison conditions in the Philippines were disturbing. The delegation should outline what was being done to improve the situation and indicate whether the Government would consider introducing more humane punishments for first-time drug offenders.

The meeting was suspended at 4.05 p.m. and resumed at 4.25 p.m.

40. **Mr. Paras** (Philippines) said that, contrary to what had been stated by the Country Rapporteur, the Constitution enshrined economic, social and cultural rights, notably in articles 2 and 13. Legal remedies under Philippine law included the writ of *amparo*, which was available to any person whose right to life, liberty and security had been violated or threatened, and the writ of *kalikasan*, which could be filed by or on behalf of persons whose constitutional right to a balanced and healthful ecology had been violated or threatened. The provisions of the Covenant had been applied by the Supreme Court in a number of cases, which were enumerated in paragraph 3 of the replies to the list of issues.

41. **The Chair** said that the Committee would prefer to receive any additional information on those cases in writing.

42. **Ms. Angeles-Natividad** (Philippines) said that the bill on strengthening the functional and structural organization of the Commission on Human Rights had been resubmitted to the House of Representatives. Some issues, including the granting of prosecutorial powers, fiscal autonomy, structural organization and the power to issue temporary restraining orders, were still being deliberated with the full participation of the Commission and of other relevant stakeholders. The bill provided for the compliance of the Commission with the Paris Principles.

43. **Mr. Paras** (Philippines) said that Administrative Order No. 35, details of which were supplied in paragraph 14 of his country's report, established that ending the impression of a culture of impunity with regard to extrajudicial killings, enforced disappearances, torture and other grave violations of the right to life, liberty and security of persons was a paramount policy of the Government.

44. The Order provided for the creation of an inter-agency committee, chaired by the Secretary of Justice, which was supported by a technical working group. In the evaluation of cases, extrajudicial killings were defined as involving the deliberate targeting and killing, by either State or non-State actors, of persons affiliated to a political, environmental or similar cause-oriented organization because of actual or perceived membership, advocacy or profession. While in general the Philippines adopted an adversarial legal system, an inquisitorial system was used for cases prosecuted under the Order.

45. **Ms. Edillon** (Philippines) said that the National Land Use Bill had been pending in Congress for a long time, but that its adoption was considered a priority. With regard to the ongoing conflict with the New People's Army and its impact on the Lumad people, the Government was engaging in talks with left-wing groups in the hopes of finding a formula

for lasting peace. People who were displaced as a result of the conflict received assistance from the Department of Social Welfare and Development.

46. **Ms. Villaruel Aragon** (Philippines) said that the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) was considered to be a priority convention by the Department of Labour and Employment, and an inter-agency technical working group had been established to facilitate its ratification. One of the obstacles to ratification was the broad scope of the Convention, as its provisions came under the purview of various government agencies.

47. **Ms. Edillon** (Philippines) said that the Supreme Court had issued a decision in relation to the rights of indigenous peoples to their ancestral land and the Mining Act of 1995. The Government would provide the Committee with further information on that matter following consultations with the National Commission on Indigenous Peoples.

48. **Mr. Rufino** (Philippines) said that the Government was making efforts to ensure respect for the principle of free, prior and informed consent, not least through its constructive dialogue with civil society organizations. Moreover, various government agencies, such as the Department of Education, the Department of Health and the Department of Social Welfare and Development, were working with indigenous peoples to plan and implement indigenous programmes, in accordance with that principle.

49. **Ms. Edillon** (Philippines) said that the beneficiaries of the Conditional Cash Transfer Programme were poor households identified by the National Household Targeting System for Poverty Reduction, which drew on information from the census and its own surveys. In order to be eligible for the Programme, the household must include at least one child under the age of 18 years and/or a pregnant or breastfeeding woman. With regard to the budget for persons with disabilities, the figure mentioned by the Country Rapporteur referred to the budget of the Department of Social Welfare and Development alone; however, every government agency was mandated to allocate one per cent of its budget to persons with disabilities.

50. **Ms. Angeles-Natividad** (Philippines) said that the Philippine Labour Code allowed foreign workers to exercise trade union rights, provided they were nationals of a State that granted the same rights to Philippine workers, and that the Immigration Act did not include pregnancy as grounds for the prohibition of entry or expulsion of migrant workers. Moreover, the Government no longer prohibited foreigners with infectious diseases from entering the Philippines; it allowed their entry but monitored their condition. The Revised Penal Code did not contain any provisions that discriminated against lesbian, gay, bisexual and transgender persons, and a bill to prohibit discrimination on the basis of sexual orientation, gender identity and gender expression had been drafted.

51. **Ms. Edillon** (Philippines) said that only 29 per cent of the beneficiaries of the Comprehensive Agrarian Reform Programme were women because land was traditionally bequeathed to men in the Philippines. The Government was hoping to improve the low labour market participation of women as part of its upcoming Philippine Development Plan. Many women stayed at home as a result of their family obligations, and a regulatory framework for part-time work or work-life balance might encourage them to enter the workforce.

52. **Ms. Rebong** (Philippines) emphasized that discrimination against women in employment was prohibited and that some women simply chose not to work. The Government had enacted various laws, such as the Magna Carta of Women, and amended others with a view to opening more doors for women and encouraging them to be active participants in the labour force. The Department of Labour and Employment also had a programme entitled JobStart, which promoted the employment of disadvantaged young persons, particularly young women.

53. **Ms. Edillon** (Philippines) said that several major companies in the Philippines employed large numbers of persons with disabilities. The Government would nevertheless step up its efforts to disseminate the Magna Carta for Persons with Disabilities and raise awareness of, inter alia, tax incentives for companies that hired such persons.

54. **Ms. Clara Asuncion** (Philippines) said that the Government provided educational assistance to persons with disabilities pursuing primary, secondary, tertiary or post-tertiary studies or vocational or technical training at public or private institutions, through the provision of scholarships, grants, financial aid and subsidies, as well as books and learning materials. In order to be eligible for such assistance, the students had to meet the minimum admission requirements for the relevant institution or programme of study. With regard to transportation for persons with disabilities, the law on accessibility provided that all public transport terminals should be wheelchair-accessible. Persons with disabilities were also allowed to drive cars and hold drivers' licences.

55. **Ms. Edillon** (Philippines) said that the Government's data on employment were based on various factors such as whether the person was of working age, was employed, was seeking employment, and was available for work. Full-time students were not considered part of the labour force. The Government conducted labour surveys every quarter and based its annual statistics on those surveys. There were, however, some gaps in its employment data as a result of a typhoon that had struck the Philippines in 2014 and destroyed some survey responses.

56. Unemployment in the Philippines was disproportionately high among young workers. Firms were hesitant to hire first-time jobseekers because they lacked skills, experience and maturity. Moreover, the education system was not in line with the legal framework for employment: young people could complete their basic education by the age of 16 years but could not legally sign contracts before the age of 18. The education reform was addressing that issue, among others.

57. **Ms. Villaruel Aragon** (Philippines) said that the Government had established a number of programmes to facilitate young persons' transition from school to work and had doubled its budget for such programmes. The Technical Education and Skills Development Authority, for example, provided technical and vocational training to approximately one million persons per year. Furthermore, the Public Employment Services Offices Act had been amended in order to strengthen and modernize public employment services. As a result of such measures, the labour force survey conducted in July 2016 had shown a decrease in both unemployment and underemployment.

58. The Department of Labour had developed an integrated programme that provided skills and entrepreneurship training and emergency employment for poor, displaced and marginalized workers. The programme had delivered livelihood assistance to a total of 517,334 beneficiaries between 2011 and 2016, and had provided emergency employment for 251,408 beneficiaries.

59. **Ms. Shin**, recalling that divorce was not yet allowed in the Philippines, said that she would be interested to learn about the proposed bill on the dissolution of marriages and when it was likely to be enacted. The Committee would also welcome information on any measures under consideration in relation to the registration of births, given the high number of undocumented children among the Muslim community and indigenous peoples, as well as Filipino workers overseas. It was also unclear what measures were envisaged by the State party to provide assistance to the families of persons with disabilities, especially women, who were often asked to shoulder the burden of care and were consequently home-bound and unable to lead independent lives. She also expressed the hope that the State party would improve its data-gathering techniques, given that the official disability rate in the Philippines was far below the average estimated by the World Health Organization. The

Committee would also like to learn what action had been taken to raise awareness of the Magna Carta for Women among indigenous and migrant women and women with disabilities, who were most in need of the rights that it guaranteed. How was that law reconciled with the Code of Muslim Personal Laws?

60. In respect of violence against women, the Committee required further details on the proposed bill that would revise the definition of rape and the age of statutory rape. The State party should also give an account of the measures it intended to provide for women and girls who had been the victims of violence, especially those with disabilities, in view of the high prevalence of violence against women in the Philippines and the apparent lack of services and legal remedies available to those women.

61. The Committee would also be grateful for a response to reports that a large number of children under the age of 15 years were engaged in the worst forms of child labour, such as gold mining, despite the State party's ratification of the Convention on the Rights of the Child and the Optional Protocol to the Convention on the Rights of the Child. How did the Philippines enforce the laws prohibiting child labour and the recruitment and use of children in armed conflict?

62. The Committee was also concerned that, despite the Philippines' Tier 1 status in the *Trafficking in Persons Report* published by the United States Department of State, the 2016 edition of that report had highlighted several problems, such as forced labour, sex trafficking and the alleged complicity of officials in allowing traffickers to operate. In that regard, she expressed the hope that the Philippines would maintain and strengthen its efforts to combat trafficking in persons.

63. **Mr. Pillay** said that he would like to learn what anti-poverty measures had been adopted by the State party to target the least developed regions of the Philippines and the people most affected by poverty, and that he would appreciate information on the results achieved. The State party should also indicate whether it would increase the coverage of the Conditional Cash Transfer Programme to include those poor who had been excluded. The Committee would also be interested to know whether the State party planned to increase its meagre social housing budget, and what remedial measures it was taking to address the large number of people living in informal settlements, including slum areas, who lacked services and faced the constant threat of eviction. The delegation should describe the extent of homelessness in the Philippines, including as a result of forced eviction, and the measures taken to ensure the right to housing for persons with disabilities, such as the construction of special housing units. Information was also needed on the steps taken to address the substandard living conditions of internally displaced persons, some of whom had lived through natural disasters and armed conflicts. Lastly, he said that the delegation should comment on the 57 documented incidents of forced eviction and demolition by militia and armed forces, often including physical and psychological violence, that had affected 73,000 families between 2010 and 2013. Those forced evictions had been carried out to create space for urban development, without consulting or providing the evicted families with compensation or an adequate relocation site. Such actions were not legal under international human rights law, did not comply with the Covenant and the Committee's general comment No. 7 (1997), and demonstrated that the State party had done nothing to implement the recommendations contained in the Committee's previous concluding observations.

64. **Ms. Shin** said that, considering the high prevalence of malnutrition and undernourishment in children under the age of 5 years, the State party should adopt the Right to Adequate Food Framework Bill as soon as possible. Extra funding for the health sector would be welcome, since expenditure currently accounted for less than 3 per cent of gross domestic product. The Committee would appreciate information on the percentage of

the population covered by the mandatory national health insurance programme mentioned in the replies to the list of issues, and on whether it covered persons with disabilities.

65. Noting that the Philippines had prohibited and criminalized abortion and had restricted access to contraceptives and reproductive health services in general, while unsafe abortions had contributed to the very high maternal mortality rate, she expressed the hope that those issues would be resolved under a new policy approach by the State party. The Committee was also concerned by the large number of drug users in the Philippines and the rapid increase in the rates of infection with HIV and hepatitis C among drug users. Lastly, she would be grateful if the delegation would comment on President Duterte's war on drugs, which had led to the extrajudicial killing of almost 3,000 people suspected of drug dealing and drug use, many of whom were poor.

66. **Mr. De Schutter** said that he supported Ms. Shin's call to urgently implement the Right to Adequate Food Framework Bill, given the rising rates of obesity and the relationship between undernutrition and obesity in adults. Additional information was required regarding possible follow-up measures to the Comprehensive Agrarian Reform Law, which deserved to be complemented and prolonged. The Committee would also like to learn what could be done to improve the situation of small-scale fishers, who faced threats such as climate change and competition from large-scale commercial fishing in coastal areas. On access to reproductive health services, the Committee required clarification as to the next steps that the State party would take to implement the Responsible Parenthood and Reproductive Health Act of 2012.

67. **Mr. Abashidze** expressed regret that the State party had not provided adequate replies to questions 32, 33 and 34 of the list of issues. Recognizing that children who had been internally displaced or affected by armed conflict often did not have birth certificates, the Committee would welcome any information on measures to eliminate obstacles to their primary and secondary education, as well as on the steps taken to protect children from paramilitary attacks in the Mindanao region. The Committee would also be grateful for statistics and information on the school dropout rate in the previous three years, the problems that caused children to abandon school, and the steps taken to improve the quality of education. The State party should also explain what regulatory measures and guarantees it had implemented to ensure the constitutional right to free primary and secondary education, which were threatened by privatization and commercialization. How did the Government monitor, regulate or evaluate the operation of private actors in education, to ensure compliance with the law and international treaties? The Committee would like to know whether there was an inclusive system of education for persons with disabilities or whether there was a special system. Regarding article 15 of the Covenant, the State party should provide information on the status and regulation of indigenous lands, and on whether prior consent was sought when implementing mining and industrial activities in indigenous areas. Did the Government provide indigenous peoples with guarantees against their eviction? The Committee also wished to learn what was being done to protect and preserve the traditional identity, culture and practices of indigenous peoples, whether any mechanisms existed for considering collective petitions from them, and what statistics were available in that regard. Lastly, he said that he would be interested to learn how the Government intended to increase Internet coverage, especially in remote areas.

68. **Mr. Mancisidor de la Fuente** said that he would be grateful if the delegation could confirm or amend the information, provided by the Department of Education, that up to 98 per cent of children with disabilities did not attend school. He was also troubled by the reports that 42 per cent of the children with disabilities covered by the Conditional Cash Transfer Programme did not attend school, which undermined the very objectives of that programme. Finally, he asked whether the State party planned to make additional funds

available to provide special transport, to train teachers, and to adapt services and structures, with a view to integrating children with disabilities into the education system.

The meeting rose at 6 p.m.

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